

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 99-171

March 30, 1999

CENTRAL MAINE POWER COMPANY  
Revision To Terms and Conditions  
Regarding Customer Installation, Page  
5.4 (Master Metering)

ORDER

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WELCH, Chairman; NUGENT, and DIAMOND Commissioners

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**I. Summary**

In this Order we allow Central Maine Power Company (CMP) to clarify its terms and conditions related to master metering multi-unit residential buildings, Terms and Conditions Page 5.4 (Third Revision).

**II. Background**

On March 16, 1999, CMP submitted a proposed revision to its terms and conditions related to master metering.<sup>1</sup> CMP's current terms and conditions provide:

Effective December 16, 1983 each dwelling unit in a building that contains more than one residential dwelling unit will be separately metered. Master metered residential service existing as of December 16, 1983 may be continued.

This provision has remained the same since the Commission began limiting CMP's use of master meters in residential dwellings in 1983. The Commission adopted this restriction pursuant to both federal and state law.

The Public Utility Regulatory Policies Act of 1978 (16 USC §§ 2601-2645) (PURPA) provides that "[t]o the extent determined appropriate under section 2625(d) of this title, master metering of electric service in the case of new buildings shall be prohibited or restricted to the extent necessary to carry out the purposes of this Chapter." 16 USC § 2623(b)(1). Section 16 USC § 2625(d) provides that separate metering for new buildings shall be "determined appropriate" if the building contains more than one unit, the occupant of each unit controls a portion of the electricity used in that unit, and "with respect to such portion of electric energy used in such unit, the long-run benefits to the electric consumers in such building exceed the costs of

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<sup>1</sup>CMP submitted its proposed revised term and condition on March 16, 1999. We approved the change through our consent agenda on March 22, 1999. Before issuing the Order, the Staff noticed an error in language in the term and condition. CMP filed a corrected term and condition on March 25, 1999, which we considered and approved through our consent agenda on March 29, 1999.

purchasing and installing separate meters in such building.” Id. PURPA further requires each state regulatory authority to either adopt the PURPA standards or to state in writing its reasons for not adopting a standard. 16 USC § 2623(c).

The Maine Electric Rate Reform Act, 35-A M.R.S.A. §§ 3151-3155, similarly provides that the Commission on its own initiative or during a rate proceeding, to the extent it is feasible, shall consider and adopt the federal PURPA standards. The Commission is further required to fully support any decision it makes not to adopt any PURPA standard. 35-A M.R.S.A. § 3154(4). The Commission adopted the master metering PURPA standards for Maine’s electric utilities in the early 1980’s.

Recently a developer of a new multi-unit development of elderly housing has asked CMP about master metering the building. If CMP’s term and condition more closely mirrored the PURPA standard, CMP could consider a master meter for this development. As described above, under the PURPA standard, separate metering is appropriate if the occupant controls a portion of electricity used in that unit and, with respect to that portion, and the long-run benefits to the electric consumer in such unit exceeds the cost of purchasing and installing separate meters in the building. CMP now proposes to amend its terms and conditions to include these qualifications.

We agree this is an appropriate clarification. Given that CMP has a customer that needs immediate application of these provisions, we allow the terms and conditions to go into effect in less than 30-days statutory notice.

Accordingly, we

### O R D E R

That Central Maine Power Company Term and Condition Page 5.4 (Third Revision), filed on March 25, 1999, is effective as of the date of this Order.

Dated at Augusta, Maine this 30th day of March, 1999.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.